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FOR NEA/ARP, L, AND S/CPR

E.O. 12958: N/A
TAGS: [OFDP](#) [OPDC](#) [PGOV](#) [CVIS](#) [KU](#)
SUBJECT: GOK RESPONSE: AL-AWADI AND AL-SHAITAN

1. (SBU) Post received April 7 the attached diplomatic note from the MFA Legal Department. Below is Post's unofficial translation:

4 April 2007
20070554
Secret

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The MFA presents its compliments to the Embassy of the United States of America in Kuwait.

In reference to Note 800, dated 12/20/2006, on the issue of requesting judicial assistance regarding Ms. Swarna against Al-Awadi and Al-Shaitan and the Government of Kuwait under the number "sany 06 civ 4880," (sic -- Post's diplomatic note cited SDNY 06 Civ 4880) we would like to inform you of the impossibility of implementing the judicial assistance referred to because Mr. Badr Al-Awadi and his wife enjoy diplomatic immunity from criminal and civil prosecutions, which is afforded to them according to paragraph 2 of article 39 of the Vienna Convention on Diplomatic Relations and which stipulates immunity regarding acts undertaken as part of a diplomatic delegation.

The MFA avails itself of the opportunity to express to the Embassy its utmost consideration and respect.

2. (U) Post will provide a copy of the original Embassy diplomatic note in Arabic and English as well as the MFA diplomatic note in Arabic to NEA/ARP - Belinda Jackson.

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<http://www.state.sgov.gov/p/nea/kuwait/?cable s>

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